

JOURNAL OF THE HOUSE.

Monday, December 6, 2004.

Met according to adjournment, at eleven o'clock A.M., in an Informal Session, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

God, Our Creator, we begin the new week with a prayer in which we ask for Your gift of wisdom. We also pray for that intellectual and moral courage which enables us to address this day's opportunities and responsibilities in a thoughtful and fair manner. In responding to the requests of people, teach us to be patient and good listeners. As elected leaders in this information age, help us to recognize and utilize wisely our vast material and rich human resources in coping with the needs of the people and of changing times. In dealing with current issues, inspire us to keep our goals and priorities (legislative and personal) clear and focused. The future of our families, our children and our communities depend upon our vision for the future today.

Prayer.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Resolutions.

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Mrs. Haddad of Somerset) congratulating Michael J. St. Laurent, Jr., on receiving the Eagle Award of the Boy Scouts of America; and

Michael J.
St. Laurent, Jr.

Resolutions (filed by Mrs. Paulsen of Belmont) congratulating Scott A. Frazee upon his elevation to the rank of Eagle Scout;

Scott A.
Frazee.

Mr. Miceli of Wilmington, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mrs. Paulsen, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Papers from the Senate.

A Bill restricting the authority of the Holyoke Power and Electric Company and the Holyoke Water Power Company (Senate, No. 2509) (on Senate bill No. 1942), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Holyoke
utilities,
authority.

Waltham,
Stanley
Bridge.

A Bill designating a certain bridge in the city of Waltham as the William F. Stanley bridge (Senate, No. 1863) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Uxbridge,
property
purchase.

A petition (accompanied by bill, Senate, No. 2508) of Richard T. Moore (by vote of the town) for legislation to authorize the purchase of property for school and general municipal purposes in the town of Uxbridge, was referred, in concurrence, to the committee on Local Affairs and Regional Government.

Southbridge,
finances.

A petition of Richard T. Moore and Mark J. Carron (with the approval of the town council) for legislation relative to the financial conditions in the town of Southbridge, came from the Senate referred, under suspension of Joint Rules 12 and 7B, to the committee on Local Affairs and Regional Government.

The House then concurred with the Senate in the suspension of said rules; and the petition (accompanied by bill, Senate, No. 2512) was referred, in concurrence, to the committee on Local Affairs and Regional Government.

James E.
Vesey,
sick leave
bank.

A petition of Bruce E. Tarr and Bradley H. Jones, Jr., for legislation to establish a sick leave bank for James E. Vesey, an employee of the Boston Municipal Court, came from the Senate referred, under suspension of Joint Rule 12, to the committee on the Judiciary.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2513) was referred, in concurrence, to the committee on the Judiciary.

Reports of Committees.

State
Police.

By Mr. Rogers of Norwood, for the committee on Ways and Means, that the Bill relative to interest arbitration for the State Police Association of Massachusetts (Senate, No. 2466) ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Kujawski of Webster, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Hynes of Marshfield, the bill was read a second time forthwith; and it was ordered to a third reading.

Randolph
charter.

By Mr. Kujawski of Webster, for the committee on Steering, Policy and Scheduling, that the Senate Bill authorizing the town of Randolph to establish a town charter (Senate, No. 2393) [Local Approval Received] be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Stanley of Waltham, the bill was read a second time forthwith; and it was ordered to a third reading.

Trusts.

By Mr. Casey of Winchester, for the committee on Taxation, on a recommitted petition, a Bill relative to the taxation of trusts (House, No. 3824). Read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Greene of Billerica, for the committee on Natural Resources and Agriculture, on a petition, a Bill relative to the Cherry Valley and Rochdale Water District (House, No. 5106). Read; and referred, under Rule 33, to the committee on Local Affairs and Regional Government on the part of the House.

Cherry Valley/
Rochdale
Water District.

By Mr. Eldridge of Acton, for the committee on Election Laws, on a message from His Excellency the Governor, a Bill authorizing a certain question to be placed on the ballot in the town of Lancaster (printed in House, No. 5133).

Lancaster.

By Mr. Bosley of North Adams, for the committee on Government Regulations, on a recommitted petition, a Bill to expand the number of licenses which the board of selectmen can issue for all alcohol licenses for restaurants in the town of Arlington (House, No. 5014) [Local Approval Received].

Arlington.

By Mr. O'Flaherty of Chelsea, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Sean Glennon, an employee of the Trial Court of the Commonwealth (House, No. 5137).

Sean
Glennon.

By Mrs. Owens-Hicks of Boston, for the committee on Local Affairs and Regional Government, on a recommitted petition, a Bill further regulating the number of selectmen in towns (House, No. 4065).

Selectmen.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Shrewsbury to establish a certain fund (House, No. 4857) [Local Approval Received].

Shrewsbury.

By the same member, for the same committee, on a petition, a Bill authorizing the city of Taunton to lease certain recreational land (House, No. 4931).

Taunton.

By the same member, for the same committee, on a message from His Excellency the Governor, a Bill validating the action taken at a town meeting held by the town of Leverett (printed in House, No. 5027).

Leverett.

By the same member, for the same committee, on a message from His Excellency the Governor, a Bill validating the actions taken at the annual town meeting and special town meeting of the town of Rockland (printed in House, No. 5101).

Rockland.

By the same member, for the same committee, on a petition, a Bill relative to the Charter of the town of Harwich (House, No. 5102).

Harwich,
charter.

By the same member, for the same committee, on a petition, a Bill establishing a capital depreciation fund in the town of Paxton (House, No. 5115) [Local Approval Received].

Paxton.

By the same member, for the same committee, on a petition, a Bill to permit the town of Arlington to transfer certain funds (House, No. 5116) [Local Approval Received].

Arlington.

By the same member, for the same committee, on a petition, a Bill to remove the residency requirement for the town counsel of the town of Arlington (House, No. 5117) [Local Approval Received].

Arl.

By Mr. Toomey of Cambridge, for the committee on Public Safety, on a recommitted petition, a Bill further regulating the registering of motor vehicles (House, No. 1336).

Vehicles,
registering.

Pittsfield.

By the same member, for the same committee, on a petition, a Bill authorizing the city of Pittsfield to prohibit heavy commercial vehicles from Merriam Street (House, No. 5118) [Local Approval Received].

Billerica.

By Mr. Koczera of New Bedford, for the committee on Public Service, on a petition, a Bill exempting the clerical positions in the town of Billerica Police Department from the provisions of the civil service law (House, No. 4940) [Local Approval Received].

Arlington.

By the same member, for the same committee, on a petition, a Bill exempting Timothy Pacheco of Arlington from the maximum age requirements for applying for civil service appointment as firefighter in the town of Arlington (House, No. 5017) [Local Approval Received].

Community
preservation.

By Mr. Casey of Winchester, for the committee on Taxation, on House, No. 3461, a Bill relative to the acquisition of land for community preservation purposes (House, No. 5144).

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Emergency Measure.

Medford,
land use.

The engrossed Bill authorizing the city of Medford to use certain land for memorial purposes (see House, No. 4864, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 13 to 0. Sent to the Senate for concurrence.

Engrossed Bills.

Bill
enacted.

The engrossed Bill relative to managed care contracts with home health agencies (see Senate, No. 2329) (which originated in the Senate), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
re-enacted.

The engrossed Bill relative to creditable service for vocational education teachers (see Senate, No. 1559, amended) (which originated in the Senate) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted, without amendment; and it was signed by the acting Speaker and sent to the Senate.

Bills
enacted.

Engrossed bills
Establishing the Taunton industrial improvement district in the city of Taunton (see Senate, No. 2444);

Authorizing certain terms for borrowing by the town of Falmouth for the construction of a golf course (see Senate, No. 2447);

(Which severally originated in the Senate);

Amending the insurance laws (see House, No. 24, changed and amended);

Authorizing the town of Hingham to issue pension obligation bonds (see House, No. 3688); and

Establishing the Athol development and industrial corporation (see House, No. 5004, amended);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Senate bills

Authorizing the town of Westborough to grant an additional license for the sale of wines and malt beverages to be drunk on the premises (Senate, No. 2326); and

Relative to certain housing in the city of Peabody (Senate, No. 2501);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed, in concurrence.

Third
reading
bills.

House bills

Relative to town meeting warrant summaries in the town of North Andover (House, No. 4787);

Establishing a sick leave bank for John Fitts, an employee of the Department of Youth Services (House, No. 5092); and

Relative to the terms of certain bonds to be issued by the Commonwealth (printed in House, No. 5108);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

Order.

On motion of Mr. DiMasi of Boston,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

Next
sitting.

At twenty-two minutes after eleven o'clock A.M., on motion of Ms. Grant of Beverly (Mr. Donato of Medford being in the Chair), the House adjourned, to meet tomorrow at eleven o'clock A.M., in an Informal Session.